

**REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL**

**January 6, 2003**

**9:00 a.m.**

The Council of the City of Roanoke met in regular session on Monday, January 6, 2003, at 9:00 a.m., in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended; and pursuant to action taken by the Council at its Planning Retreat on December 18, 2002, to continue the meeting until 9:00 a.m., on Monday, January 6, 2003.

**PRESENT:** Council Members William D. Bestpitch, William H. Carder, M. Rupert Cutler, Linda F. Wyatt and Mayor Ralph K. Smith-----5.

**ABSENT:** Vice-Mayor C. Nelson Harris and Council Member Alfred T. Dowe, Jr.-----2.

**OFFICERS PRESENT:** Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

**COMMITTEES-CITY COUNCIL:** A communication from Vice-Mayor C. Nelson Harris, Chair, City Council Personnel Committee, requesting a Closed Meeting to discuss the performance of four Council-Appointed Officers, pursuant to Section - 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Mr. Carder moved that Council concur in the request Vice-Mayor Harris to convene in a Closed Meeting to discuss the performance of four Council-Appointed Officers, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

**AYES: Council Members Bestpitch, Carder, Cutler, and Mayor Smith-----5.**

**NAYS: None-----0.**

**(Vice-Mayor Harris and Council Member Dowe were not present when the vote was recorded.)**

**At 9:05 a.m., the Mayor declared the meeting in recess to be immediately reconvened in the Emergency Operations Center Conference Room, Room 159, for a Council/Staff Work Session.**

**At 9:10 a.m., the Council meeting reconvened in a work session in Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with all Members of the Council in attendance, Mayor Smith presiding. (Vice-Mayor Harris arrived at 9:15 a.m. and Council Member Dowe arrived at 9:20 a.m.)**

**STAFF PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; Mary F. Parker, City Clerk; Troy A. Harmon, Municipal Auditor; George C. Snead, Jr., Assistant City Manager for Operations; and Rolanda B. Russell, Assistant City Manager for Community Development.**

#### **PROPOSED STRUCTURE FOR FUTURE WORK SESSIONS:**

**COUNCIL: The City Manager advised that Council stated at its planning retreat on Wednesday, December 18, 2002, that it would like to engage in more meaningful discussions on issues affecting the City of Roanoke; however, the agenda is programmed to the extent that it is difficult to engage in meaningful dialogue; and accordingly, Council expressed a desire to hold work sessions on the first Monday of each month commencing at 9:00 a.m. She asked that Council provide clarification to staff with regard to the types of items that the Council would like to discuss at future work sessions, whether Council wishes to continue the 5:00 p.m., dinner meetings on the third Monday of each month, and to identify which Committees the Council would like to meet with during the year.**

**Suggestions/comments offered by the Mayor and Members of Council as potential topics for discussion during 9:00 a.m.- 2:00 p.m. work sessions:**

- The scheduling of interviews with applicants to various Council-appointed committees and performance evaluations of Council-Appointed officers.
- Discussion of various City issues.
- A field trip to view a City facility or program, with the understanding that the activity will be a meaningful use of time.
- Discussion of philosophical issues.
- Each Member of Council brings a specific talent to the table and by sharing individual points of view, Council will be able to make more intelligent decisions.
- Questions with regard to items which are included on the 2:00 p.m., Council docket. Concern was expressed that the Council should not become so efficient in its meetings that it is perceived as a “rubber stamp” by the public. There is a perception by some citizens that Council Members should ask questions.
- There are instances when an individual Member of Council will request a staff briefing on a specific topic which, in some instances, becomes a part of the formal Council agenda; other Members of Council may not have an interest in the topic; therefore, briefings requested by a Member of Council should be approved by at least four Members of the Council prior to placing the item on the Council’s formal agenda. Any topic deemed appropriate by the City Manager for a Council briefing should be automatically included on the formal agenda.

- Time frames should be assigned to each item on the work session agenda.
- Information related to presentations on the 2:00 p.m. Council docket should be included in the Council's agenda material which is received prior to the Council meeting, in lieu of distribution at the formal Council session.
- An item should be included at the beginning of each work session agenda; i.e.: Items Requiring Additional Discussion/Clarification/Additions and Deletions to the 2:00 p.m. Council docket.

#### **COMMITTEE LIAISON REPORTS BY COUNCIL MEMBERS:**

##### **Hotel Roanoke and Conference Center Commission:**

Mayor Smith advised that the Hotel Roanoke and Conference Center is a success story which is paying its own way. He stated that in addition to the Mayor, the City's representatives include the City Manager and former Council Member William White, Sr.

There was discussion in regard to appointing two active members of City Council to the Hotel Roanoke Conference Center Commission, along with a City administrator. A suggestion was offered that City representatives to the Commission consist of one active Member of City Council, a City administrator and a member at large from the City of Roanoke. Following discussion, the matter was referred to the City Attorney for report to Council.

There was also discussion with regard to the role of the Center for Organization Technological Advancement (COTA) Program at the Hotel Roanoke Conference Center administered through Virginia Tech; and a question was raised with regard to the status of the culinary arts program that was to be offered by Virginia Tech at the Conference Center; whereupon, the Mayor advised that he would determine the status of the program and advise Council accordingly.

### **City of Roanoke Redevelopment and Housing Authority:**

Vice-Mayor Harris advised that the Board of Commissioners of the Roanoke Redevelopment and Housing Authority and its Executive Director would like to assume a new role in government and in the development of the community. He explained that the Housing Authority currently partners with the City of Roanoke in economic development projects through acquisition of property to be developed and manages and operates public housing in the community, and the Housing Authority wishes to continue its role in these two areas. However, he called attention to new energy on the Housing Authority, i.e.: (1) the professional background and history of the Executive Director; (2) a high energy Board of Commissioners that wishes to be more engaged than previous Boards, with a demonstrated willingness to do new and different things; and (3) kick-off of the Bullitt-Jamison Pilot project which started the initiative to look at some of the City's core neighborhoods and the infusion of City monies and Community Development Block Grant funds into neighborhood development. Vice-Mayor Harris advised that the Housing Authority wishes to be highly engaged in the process as the City moves forward into the neighborhoods, particularly relative to housing; therefore, the Housing Authority wishes to assume a different role; and certain key staff positions have not been filled in anticipation that the Council might want the Housing Authority to assume a new role; whereupon, Vice-Mayor Harris requested input by the Mayor and Council Members.

The City Manager was called upon for remarks; whereupon, she referred to the expertise of John Baker, the Housing Authority's Executive Director, and his previous experience with neighborhood redevelopment. She stated that the matter came to the forefront with the creation of the City's Department of Neighborhood Services which made it obvious that the City was venturing into neighborhood redevelopment. She stated that Mr. Baker sees the potential for the Housing Authority to be the lead entity in all of the City's economic development pertaining to housing, which is an option that has been exercised by some localities; however, her personal feeling is that the Housing Authority, like the City of Roanoke, needs to overcome some of the stigma of the past. She explained that some of the choices in the Southeast by Design project were deliberate in an attempt to try and address some of those experiences from the past and to involve the Blue Ridge Housing Development Corporation in the process. She advised that housing should be disbursed throughout the City, there is a need to promote low income housing in other jurisdictions in the Roanoke Valley, and there is also a need to work together more cooperatively. She encouraged Council to engage in the appropriate dialogue, but requested that more time be spent on the matter before Council reaches a final decision.

**Comments by the Mayor and Council Members:**

- The Housing Authority could offer expertise with the housing component, but not the overall coordination of housing redevelopment.
- The Housing Authority is involved in numerous projects, one of which is the Bio Med Center on South Jefferson Street. The RRHA is currently short of staff and it is hoped that the Housing Authority will not over extend itself.
- There is a need for the Council and the Housing Authority to engage in frank discussions about the future role of Council and the RRHA. It would be advantageous for the Housing Authority to be involved in upper scale housing development issues which will help to improve its image. The Council should be clear about its expectations, as well as the individual roles of the Council and the Housing Authority.
- Council should hear from all housing agencies, including the RRHA, Blue Ridge Housing Development Corporation, Christmas in April, etc.

It was the consensus of Council to use the next six months to hold monthly breakfast meetings which are attended by the Vice-Mayor in his role as liaison between Council and the Housing Authority, one member of City Council, two Housing Authority Commissioners, the City Manager and the Executive Director to discuss the matter in detail for further discussion by Council and the Housing Authority at a joint meeting to be held later in the year.

**City of Roanoke Transportation Safety Commission:**

Council Member Bestpitch advised that membership is complete and Council will receive a recommendation from the Transportation Safety Commission in the near future with regard to transportation safety improvements.

**Roanoke Neighborhood Partnership Steering Committee/Ad Hoc Study Committee:**

Council Member Bestpitch advised that a proposal will be submitted to Council in the near future that will significantly reduce the number of members on the Roanoke Neighborhood Partnership Steering Committee from 30 to 11, and, in addition, a name change will be proposed.

**Roanoke Valley-Allegheny Regional Commission:**

Council Member Bestpitch advised that the long range water supply study is on track and moving forward, and the study will include potential additional water sources that may be available throughout the region.

**Virginia's First Regional Industrial Facility Authority:**

Council Member Bestpitch advised that the joint venture involves a revenue sharing project with other local governments of the Commerce Park which is located near the airport on the outskirts of the Town of Dublin. He stated that there is a good opportunity in that the airport, although small, is large enough to accommodate freight shipments that can be held in the warehouse as a cost saving measure until materials are ready to be used for production. He added that site production is moving forward, issues with surrounding property have been resolved, and it is hoped that announcements will be made in the near future with regard to groundbreaking, ribbon cutting, etc.

**Finance Best Practices Task Force:**

Council Member Bestpitch advised that the Task Force has continued to meet and, at some point in the future, it will be necessary to hold a discussion with regard to how responsibilities are divided up and assigned to the various City departments, and whether or not restructuring is in order.

**War Memorial Committee:**

Council Member Bestpitch advised that no meetings have been held during the past year.

**Total Action Against Poverty Board of Directors:**

Council Member Bestpitch advised that attention is beginning to focus on the former Dumas Hotel renovations and a new facility that will be housed at that location. He called attention to serious challenges facing the Virginia CARES program, as well as certain other non-profit State agencies.

At 10:55 a.m., the Mayor declared the meeting in recess.

At 11:20 a.m., the work session reconvened in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with all Members of the Council in attendance.

The work session continued with reports by Council Members in their liaison capacities to various committees.

**Special Events Committee:**

Council Member Carder advised that negotiations have gone well with an agency known as Valley Events which will serve as the gatekeeper in developing new and distinctive events for the Roanoke region and, it is envisioned in the future that the organization will become the coordinator of regional events. He stated that Valley Events will be responsible for working out logistics, event details, providing technical expertise, crowd control, tickets for events, etc.

The City Manager stated that the intent is to create an event umbrella organization that will master calendar the year, engage in advance planning, and serve as a mentor to various organizations. She added that ultimately, the goal of the organization is to be a single fundraiser for festivals throughout the City, to contact businesses to solicit contributions that will go into a pool of money for special events, and Valley Events will be held accountable for the quality of events to be produced.

It was suggested by a Member of Council that Roanoke City Council Members participate in the St. Patrick's Day Parade in March.



### **Virginia First Cities Coalition:**

Council Member Carder advised that he, along with the City Manager, represent the City of Roanoke on the First Cities Coalition and the City Manager also serves on the Executive Committee. He stated that the City's money has been well spent and as a result of lobbying efforts, the State maintenance formula was changed, resulting in \$3 million to First Cities, or \$175,000.00 to the City of Roanoke. He added that First Cities was crucial in getting at risk funding education removed from the Governor's budget and the Coalition was vocal about ensuring that public education was not touched. He noted that the Coalition continues to strongly encourage the Deputy Chief of Staff to develop an urban policy and the Chief of Staff has indicated that a meeting will take place with the Governor. With regard to tax restructuring, he advised that the question has been raised as to when the real root cause of the problem will be addressed; and member localities are getting more money for their dollars through the Virginia First Cities Coalition which is more focused, versus the Virginia Municipal League which has become too broad based in its focus.

There was discussion in regard to the position of member localities to the Virginia First Cities Coalition, in connection with passing on State funding cuts to the affected agencies; whereupon, the City Manager advised that all member jurisdictions to First Cities have been requested to respond by the end of the day with specific examples of what State budget reductions will mean for their budgets and whether they will continue to pass on the cuts to the affected agencies. She stated that one of the strategies discussed by First Cities is to support a position that encourages the General Assembly to not change the Governor's recommendation as it relates to public education inasmuch as to this point, no serious damage has been done; and the Coalition is seriously considering taking a position to request a five year plan for the General Assembly to meet those obligations as defined by the JLARC study. She stated that information with regard to actions taken by other localities will be provided to the Council.

### **War Memorial Committee:**

Council Member Carder advised that no meetings have been held this year.

### **Roanoke Valley-Allegheny Regional Commission:**

Council Member Carder advised that he also serves on the Strategy Planning Committee of the Roanoke Valley-Allegheny Regional Commission. He discussed the issue of regional cooperation and how independent cities may be a root cause

as to why localities cannot achieve substantial regional changes; the committee has engaged in discussions to identify regional issues such as health, housing, land use planning, water/sewer, airport, etc., and all issues will be placed on the table for discussion. He added that counties must realize that they are going through the same kind of suburbanization that cities are under going; and the Roanoke Valley-Allegheny Regional Commission has decided to take on the role of a facilitative unit.

**Roanoke Valley Convention and Visitors Bureau, Board of Directors:**

Council Member Carder advised that the RVCVB has a budget of over \$1 million; and requests were made to other localities for contributions; however, to date, no contributions have been received toward a regional marketing effort. He noted that hotels in Roanoke County and the City of Salem have been encouraged to bring pressure on their respective localities to participate in the regional marketing effort.

**Mill Mountain Advisory Committee:**

Council Member Cutler advised that he has attended monthly meetings at the Discovery Center; he accepted the gift of a flag pole from Woodmen of the World, and a bronze plaque describing the special status of the Mill Mountain Star for Mayor Smith; he devoted particular attention to investigating the possibility of the City donating a conservation easement on the steep portions of the park to the Virginia Outdoors Foundation and/or the Western Virginia Land Trust to prevent future inappropriate development; and the Committee is developing a plan that would result in its going out of business following completion of certain items of business (folding its duties into the City-wide Parks and Recreation Advisory Committee).

**Mill Mountain Zoo, Inc.:**

Council Member Cutler advised that routine reports on new species acquisitions and budget issues, etc., and a new water line and car-parking capacity are major issues.

**Roanoke Arts Commission:**

Council Member Cutler advised that new guidelines for administration for the Percent for the Arts Program were requested by the Arts Commission and approved by Council; the separate Committee to administer the program was disbanded; and new guidelines for local non profit applicants for City grants are being drafted that will reduce the complexity of paper work requirements and allow applicants to apply for base operating support, as well as funds for short-term special projects.

The City Manager pointed out that the funds can be used by local non-profit organizations for general operating purposes, and it is the sense of City staff that Council is supportive of the proposed new guidelines.

**Comments by the Mayor and Council Members:**

- When criteria moves from specific programs to the organization, it becomes difficult to develop criteria by which to judge one organization against another, and it is easier to judge programs versus programs.
- Organizations should be given some flexibility to raise additional money.
- An alternative would be to designate a certain percentage of the funds for operations.
- There should be some incentive for joint cooperation projects, such as the Dumas Hotel and the Harrison Museum of African-American Culture.
- The Downtown Interstate Exit, Exit 5, which is the location where the fountain currently exists, would be an excellent location for a piece of art. It was noted that the location was the proposed site for the Unity Fountain, Downtown Roanoke, Inc., has been approached about assuming sponsorship of the Unity Fountain and the matter should also be discussed by the Arts Commission.

The City Manager advised that the funding issue for cultural agencies could be addressed through a compromise, and funds could be used for existing programs, or designation of a specific program for matching funds. She stated that another alternative would be to use HUD guidelines for administrative costs and, with the concurrence of Council, she would incorporate the HUD guidelines into the proposed policy.

**Roanoke Valley/Allegheny Regional Commission:**

Council Member Cutler advised that the Regional Commission took advantage of the opportunity to obtain a special status from the USEPA giving the region more time to reduce its ozone air pollution and qualify as complying with air quality standards. He further advised that the Regional Commission is attempting to address the need for a "brand" or slogan for the region to increase its profile and ability to attract tourists and businesses.

**Roanoke Valley Long Range Water Supply Study Committee:**

Council Member Cutler advised that the firm of Black & Veatch has been contracted to conduct a quick analysis of known information regarding the relative productivity of various new, major water supply sources for the region.

**Urban Forestry Task Force:**

Council Member Cutler advised that the Task Force is drafting a new urban forestry ordinance and an associated program that will improve the City's impact on its urban forest and lead to a major increase in the per cent of the City's area under a forested canopy.

The City Manager advised that the proposed ordinance will be presented to Council in February 2003.

**Roanoke Valley Regional Cable Television Committee:**

Council Member Dowe advised that Cox Communications has received copy of the franchise agreement for review by its legal team.

**Mayor's Committee for People with Disabilities:**

Council Member Wyatt advised that her schedule has prevented her from attending meetings of the committee.

**Roanoke Civic Center Commission:**

Council Member Wyatt commended Civic Center staff on their outstanding work in connection with the change-over on Saturday, January 4, from the Roanoke Dazzle basketball game in the afternoon, to the Roanoke Express hockey game on that same evening. She advised that high school graduations will be held in the Civic Center Auditorium in June on a trial basis, with a limited number of tickets, and with the assurance that no problems will be encountered.

The Acting Director of Civic Facilities advised that in late December 2002, the City of Roanoke received notice of an Alcoholic Beverage Control Board hearing date for February 20, 2003, in connection with the City's application to serve alcoholic beverages at Roanoke Civic Center events. He called attention to 58 citizens who have signed up in opposition to the City's application, most of whom

reside outside of the City limits, and some churches in the City are also in opposition for religious and philosophical reasons. He explained that staff is developing a list of citizens who will provide positive testimony in support of the City's request, and the license is needed in order for the City to remain competitive with other facilities in the area.

**Virginia CARES Board of Directors:**

Council Member Wyatt advised that a report regarding funding is scheduled to be considered by Council at its 2:00 p. m. session.

**Virginia Museum of Transportation Board of Directors:**

Council Member Wyatt advised that funding has been severely cut, various fund raising activities are scheduled throughout the year, and the Transportation Museum is doing a yeoman's job to raise money.

The work session was declared in recess at 12:30 p.m., at which time the Council convened in Closed Session to engage in mid year performance evaluations with the Director of Finance, City Clerk, City Attorney and City Manager.

The Council meeting reconvened at 2:00 p.m., on January 6, 2003, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding.

PRESENT: Council Members William D. Bestpitch, William H. Carder, M. Rupert Cutler, Alfred T. Dowe, Jr., C. Nelson Harris, Linda F. Wyatt and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by The Reverend Floyd W. Davis, Pastor, High Street Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

**PRESENTATIONS AND ACKNOWLEDGMENTS:**

**WATER RESOURCES:** The Mayor announced that at an 11:00 a.m. news conference, mandatory water restrictions were lifted in the City of Roanoke.

**CONSENT AGENDA**

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately. He called specific attention to a request for one Closed Session to discuss vacancies on certain Council-Appointed committees.

**MINUTES:** Minutes of the regular meeting of Council held on Monday, November 18, 2002, was before the body.

Mr. Cutler moved that the reading of the minutes be dispensed with and that the minutes be approved as recorded. The motion was seconded by Mr. Dowe and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

**NAYS:** NONE-----0.

**COMMITTEES-CITY COUNCIL:** A communication from the Honorable Ralph K. Smith, Mayor, requesting a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Mr. Cutler moved that Council concur in the request of the Mayor to convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Dowe and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

**NAYS:** NONE-----0.

**BUDGET:** A communication from the City Manager transmitting the proposed 2003-04 Budget Study calendar, was before the body.

<u>Date</u>	<u>Budget Preparation Activities</u>
April 14-18, 2003 April 18, 2003	City Manager briefs City on Recommended budget. Recommended budget document delivered to City Council Members.
April 18, 2003	Advertisements of public hearings on recommended budget and tax rates appear in newspapers.
April 28, 2003	Public hearings on recommended budget and tax rates.
May 7-9, 2003	**Requires special meeting of City Council City Council budget study work sessions.
May 12, 2003	City Council adopts General Fund, School Fund, Proprietary Fund budgets and an Update to the HUD Consolidated Plan and approves an annual appropriation ordinance. **Requires special meeting of City Council

Mr. Cutler moved that Council concur in the proposed 2003-04 Budget Calendar. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: NONE-----0.

**CITY PROPERTY:** A communication from the City Manager recommending that Council authorize a public hearing to be held on Tuesday, January 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to proposed conveyance of property rights in connection with surplus City-owned property, described as Official Tax Nos. 2011718, 2021789 and 2021788, was before the body.

Mr. Cutler moved that Council concur in the recommendation of the City Manager. The motion was seconded by Mr. Dowe and adopted by the following vote:

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: NONE-----0.**

**JEFFERSON CENTER-LEASES-SCHOOLS: A communication from the City Manager recommending that Council authorize a public hearing to be held on Tuesday, January 21, 2003, at 7:00 p.m. or as soon thereafter as the matter may be heard, with regard to lease of the Jefferson High School Gymnasium, was before the body.**

**It was advised that the Young Men's Christian Association of Roanoke, Virginia (YMCA), currently leases the Jefferson High School Gymnasium; the lease agreement expires on January 18, 2003; the YMCA has expressed an interest in continuing the lease agreement; the feasibility of a new lease agreement, or possibly a transfer of title, is currently being negotiated; and to facilitate time for negotiation, the YMCA has requested an extension agreement of the current lease for six months.**

**Mr. Cutler moved that Council concur in the recommendation of the City Manager. The motion was seconded by Mr. Dowe and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: NONE-----0.**

**LEASES-COMMONWEALTH OF VIRGINIA BUILDING: A communication from the City Manager recommending that Council authorize a public hearing to be held on Tuesday, January 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to lease of the Commonwealth Building, was before the body.**

**It was advised that the United States General Services Administration (GSA) currently leases space within the Commonwealth Building, which is owned by the City; GSA uses the second floor of the building for the Federal Bankruptcy Court and its affiliated offices; the current lease expires on January 31, 2003; the GSA is interested in extending the lease for one year, with the same terms as the current lease; and the current lease rate is \$6.50 per square foot, plus \$3.97 per square foot for operating costs, increased annually based on the Consumer Price Index 1982-1984 = 100, at an annual rent amount of \$130,007.76.**



**Mr. Cutler moved that Council concur in the recommendation of the City Manager. The motion was seconded by Mr. Dowe and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: NONE-----0.**

**SEWERS AND STORM DRAINS: A communication from the City Manager recommending that Council authorize a public hearing to be held on Tuesday, January 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to vacation of sewer and drainage easements on Wildwood Road, S. W., was before the body.**

**Mr. Cutler moved that Council concur in the recommendation of the City Manager. The motion was seconded by Mr. Dowe and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: NONE-----0.**

**POLICE DEPARTMENT-OATHS OF OFFICE-COMMITTEES-CITY COUNCIL-COURT COMMUNITY CORRECTIONS BOARD-JUVENILE CORRECTIONAL FACILITIES-BLUE RIDGE COMMUNITY SERVICES-ROANOKE NEIGHBORHOOD PARTNERSHIP-VIRGINIA ALCOHOL SAFETY ACTION PROGRAM: The following reports of qualification were before Council:**

**Jesse A. Hall as a member of the Roanoke Valley Juvenile Detention Center Commission, for a term ending June 30, 2006**

**The Honorable John B. Ferguson and The Honorable Julian H. Raney as members of the Court Community Corrections Program Regional Criminal Justice Board, for terms ending June 30, 2005;**

**Carl D. Cooper as a member of the Roanoke Neighborhood Partnership Steering Committee, for a term ending November 30, 2005;**

**A. L. Gaskins as a member of the Regional Policy Board, Alcohol Safety Action Program, for a term ending June 30, 2004;**

Alma L. Lee as a member of the Personnel and Employment Practices Commission, for a term ending June 30, 2005; and

Robert Williams, Jr., as a member of the Blue Ridge Behavioral Healthcare, Board of Directors, for a term ending December 31, 2005.

Mr. Cutler moved that the reports of qualification be received and filed. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: NONE-----0.

LEASES-CITY MARKET: A communication from the City Manager recommending that Council hold a public hearing on Tuesday, January 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to lease of the City Market Building, was before the body.

Mr. Cutler moved that Council concur in the recommendation of the City Manager. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

ABSENT: None-----0.

#### REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS: NONE.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

**BUDGET-HOUSING/AUTHORITY-GRANTS-YOUTH:** The City Manager submitted a communication advising that World Changers is a volunteer organization that brings together youth and adults from throughout the nation to participate in housing and related community service projects; several months ago the City and World Changers began discussions with regard to a project to repair 30 or more homes in the southeast and other areas of the City during July 2003; World Changers will provide youth workers and adult supervision for painting, roofing, and other rehabilitation; and the City will provide funding for materials and other support, including housing youth and adults at a school facility for the week.

It was further advised that the City and World Changers have designed a project for the week of July 12-19, 2003; uncommitted current-year Community Development Block Grant (CDBG) funds are to be used for costs of materials and need to be in place prior to July; numerous other preliminary activities to be supported by CDBG funds must be undertaken prior to arrival of the World Changers group; therefore, the project must be added to the City's 2002-03 Annual Update to the Consolidated Plan, requiring a 30-day public review before implementation; a legal notice appeared in The Roanoke Times on November 29, 2002, to begin the public comment period, which ended on December 30, 2002; and no objections to the project were received.

It was explained that preliminary activities to be undertaken prior to arrival of the World Changers group are extensive and critical to the success of the project, which includes identifying homes and determining homeowner eligibility, preparing work write-ups, assessing and treating affected lead-based paint, securing necessary rehabilitation materials, coordinating with World Changers, and many other details; the City has chosen Blue Ridge Housing Development Corporation, Inc., (BRHDC) to serve as overall program administrator to perform these functions; a subgrant agreement with BRHDC, will be needed to outline the various provisions; the \$110,000.00 in CDBG funds needed for the agreement will be appropriated from additional program income received in excess of current revenue estimates; and housing arrangements for World Changers youth and adults are being finalized by the City's Youth Planner with the Roanoke City Schools and will be completed in the near future.

The City Manager recommended that the following actions be approved by Council:

Authorize the City Manager to amend the 2002-03 Annual Update to add the World Changers project.

Authorize the City Manager to execute a CDBG Subgrant Agreement with Blue Ridge Housing Development Corporation, Inc., to be approved as to form by the City Attorney.

Increase revenue estimates in the following revenue accounts:

Parking Lot Income	035-G02-0200-2202	by \$7,400.00
Other Program Income-RRHA	035-G02-0200-2203	by \$1,806.00
Demolitions	035-G02-0200-2204	by \$8,034.00
Home Ownership Assistance	035-G02-0200-2222	by \$3,260.00
Rental Rehabilitation	035-G02-0200-2240	by \$14,270.00
Miscellaneous Program		
Income	035-G03-0300-2205	by \$1,375.00
Home Ownership Assistance	035-G03-0300-2222	by \$2,813.00
KDL Investments Loan	035-G03-0300-2232	by \$27,076.00
Hotel Roanoke Section		
108 Loan	035-G03-0300-2234	by \$5,849.00
Rental Rehabilitation	035-G03-0300-2240	by \$38,117.00

Appropriate the above referenced funds to the following expenditure accounts:

World Changers FY02 Funds	035-G02-0220-5390	\$34,770.00
World Changers FY03 Funds	035-G03-0320-5391	\$75,230.00

Mr. Carder offered the following budget ordinance:

(#36187-010603) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 51.)

Mr. Carder moved the adoption of Ordinance No. 36187-010603. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

**Mr. Dowe offered the following resolution:**

**(#36188-010603) A RESOLUTION authorizing the appropriate City officials to amend the 2002-2003 Consolidated Plan Annual Update regarding the World Changers project, including submission of necessary documents to the U. S. Department of Housing and Urban Development (HUD), and to enter into a 2002-2003 Community Development Block Grant (CDBG) Subgrant Agreement with the Blue Ridge Housing Development Corporation, Inc., regarding the World Changers project, upon certain terms and conditions.**

**(For full text of Resolution, see Resolution Book No. 67, page 52.)**

**Mr. Dowe moved the adoption of Resolution No. 36188-010603. The motion was seconded by Mr. Harris and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: None-----0.**

**CITY CODE-NUISANCES-REFUSE COLLECTION-CITY PROPERTY-STREETS AND ALLEYS: The City Manager submitted a communication advising that as authorized by the Code of Virginia, 1950, as amended, Section 33-18 of the Code of the City of Roanoke (1979), declares weeds and trash on private property to be a public nuisance required to be abated; the City of Roanoke enforces these provisions with owners of private property in violation of the ordinance, however, narrow areas of public rights-of-way adjacent to private property, e.g. between road pavement and sidewalks or property lines, or along alleys, are frequently overgrown; and maintenance of these narrow areas is problematic within the City's existing resources.**

**It was further advised that owners of private properties currently have some maintenance responsibilities for adjacent public property, e.g. removal of snow from sidewalks; in many cases, property owners already take care of adjacent rights-of-way to the edge of streets and in alleys; where owners do not do so and City of Roanoke crews cannot mow, trim or pick up trash frequently, streetscape appearance often is poor and presents a negative image of the community; and the State Code allows responsibility for removal of nuisances from public property to be assigned to owners of property affected, as is done in several localities around the State, including Newport News, Richmond, Norfolk, and Bedford.**

The City Manager recommended that Council approve amendment to Section 33-17, Code of the City of Roanoke (1979), as amended, to extend responsibility for weeds and trash on public rights-of-way along streets and alleys to the owners of adjacent private property, which amendment is a part of the City of Roanoke's efforts to improve the appearance of its streetscapes and neighborhoods.

Mr. Dowe offered the following ordinance:

(#36189-010603) AN ORDINANCE amending and reordaining subsections (d), (e) and (g) of §33-17, Definitions, of Chapter 33, Vegetation, of the Code of the City of Roanoke (1979), as amended, to amend the definition of Owner, Parcel and Weed or Weeds; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 53.)

Mr. Dowe moved the adoption of Ordinance No. 36189-010603. The motion was seconded by Mr. Carder.

Dr. Floyd Davis, 1829 June Drive, N. W., addressed Council in connection with the hardship on elderly persons on fixed incomes who will have to pay for someone to clear their property. He inquired if real estate taxes will be affected and if a penalty will be levied against the property owner for non-compliance.

Mr. Robert N. Richert, 415 Allison Avenue, S. W., spoke in support of the measure, which is not only beneficial to the inner city neighborhoods, but is consistent with the City's 2001-2020 Comprehensive Plan. He stated that there are absentee landlords in the inner City who take a dim view of maintaining alleyways, which include public rights-of-way that are used frequently for walking, bicycling, etc. He advised that it is unfortunate that City government must legislate what would normally be good citizenship on the part of property owners and residents of the City, but overgrown rights-of-way tend to affect not only the impression that Roanokers give of ourselves, but the impression that is passed on to visitors.

Mr. Richard Dearing, 5122 Old Springs Road, S. W., concurred in the remarks of Mr. Richert; however, he stressed the importance of the City of Roanoke being a user friendly government. He referred to a vacant lot that he owns which is located on an out of the way street, he infrequently passes the lot, and trash is occasionally found on the property; therefore, if someone trashes his property, he then becomes a victim of the ordinance. He advised that he is in favor of having a beautiful City, but would encourage that the City of Roanoke be a user friendly city.

**Mr. Charles Harlow, 1375 Stoutmire Drive, S. W., advised that in the past, topics of this nature were introduced to citizens and to neighborhoods with advance notification and prior to amending the City Code. He expressed concern for himself as a property owner in the City of Roanoke and for elderly and disabled citizens.**

**The City Manager was requested to address issues raised by the above noted speakers; whereupon, she advised that for many years the City Code has required citizens to clear their sidewalks, particularly when the City experiences a snow event. However, she stated that it is acknowledged that citizens do not clear their sidewalks as quickly as possible, which is one of the primary reasons that the schools do not open after a snow event. She called attention to discussions regarding the creation of a youth corp that would assist elderly/disabled citizens in clearing their sidewalks. She advised that there are a number of citizens who have routinely cleared the area between the sidewalk and the street, but unfortunately, there is a level of inconsistency and the intent of the proposed ordinance is to clarify the responsibility of the adjacent property owner. Like all City Code violations, she explained that individuals would be given notice of and a period of time in which to correct the violation. With regard to Mr. Dearing's concern, she advised that he would be notified and given a reasonable period of time to effect the change, if the violation was not corrected, the City would enter the property to remove the trash and cut the grass, send a bill to the property owner, if the property owner failed to pay the bill, it would be recorded as a lien against the property and the lien would be collected at the time of disposition of the property. In an effort to assist the elderly and/or disabled citizen, she called attention to plans to implement a program in which the names of young persons in the various neighborhoods will be provided as a resource to provide assistance. She stated that there is no impact on the real estate tax rate, however, maintaining the area in front of one's residence in an attractive appearance would enhance the value of the property, as well as the value of the neighborhood. She advised that the goal of staff in bringing the proposed ordinance to Council is more to make the citizens aware of their responsibility, as opposed to using the heavy hand of enforcement, because most citizens when they understand the City's expectations will make an effort to comply.**

**With reference to City property, the Mayor advised that the City will have to clean up certain City-owned property before it asks citizens to abide by the proposed regulations.**

Council Member Cutler commended the City Manager on the formation of a Volunteer Youth Corp, and advised that the Kiwanis Club sponsors Builders Clubs and Key Clubs in the middle schools and the high schools throughout the City and these young adults will also be pleased to assist with community service projects. The City Manager responded that she would ask the City's Youth Planner to contact the two groups as a way to build the Volunteer Youth Corp.

Council Member Carder advised that the issue of absentee landlords is being addressed as a part of the City's legislative agenda to seek enabling legislation that would authorize the City to contact absentee landlords; however, to this point, the City has been unsuccessful. He encouraged citizens to contact their State representatives and Senator to solicit their support in the City's efforts.

Ordinance No. 36189-100603 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

**BUDGET-HOSPITALS-GRANTS:** The City Manager submitted a communication advising that on September 1, 1998, the City of Roanoke and Carilion Health System (CHS) entered into an agreement whereby CHS agreed to move or to create at least 310 positions in Enterprise Zone One; and the City agreed to make available job training grants, in the amount of up to \$1,000.00 per employee, not to exceed \$500,000.00, through the Fifth District Employment and Training Consortium (FDETC).

It was further advised that CHS has experienced more growth than the minimum 310 committed positions and has requested more training funds than initially set aside; the total request for training funds for 550 positions was \$471,353.42, while the City originally appropriated only \$310,000.00 for training funds of CHS; in February 2002, Council appropriated an additional \$25,678.00 to help bring the total paid to CHS to \$335,677.83; the FDETC still owes CHS \$135,675.59, an amount equal to two payment requests by CHS that went unaddressed due to staff turnover and misdirection of requests, which amount needs to be funded by the City to FDETC; and the payment will complete all commitments under the agreement.



The City Manager recommended that Council appropriate \$135,676.00 from Capital Improvement Reserve (Account No. 008-052-9575-9181) to CHS Training Grant, Account No. 008-310-9699-2044.

Mr. Carder offered the following budget ordinance:

(#36190-010603) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 55.)

Mr. Carder moved the adoption of Ordinance No. 36190-010603. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

**SIDEWALK/CURB AND GUTTER-BUDGET:** The City Manager submitted a communication advising that Council was recently briefed on the categories toward which curb and sidewalk projects are being focused using the \$5 million in bond funds generated for this purpose; the project is responsive to a number of individual citizen requests and provides for installation of approximately 20,000 square feet of sidewalk, 12,000 linear feet of curb and 9,000 square feet of entrances on various streets within the City; plans are underway to award a contract for the project to H. & S. Construction Company, in the amount of \$477,250.00, with 365 consecutive calendar days of construction time; and funding needs to be provided.

It was further advised that funding, in the amount of \$525,000.00, is needed for the project; additional funds that exceed the contract amount will be used for miscellaneous project expenses, including advertising, prints, test services, minor variations in bid quantities and unforeseen project expenses; and funding in the amount of \$525,000.00 is available in Public Improvement Bonds - Series 2002, Curb and Gutter, Account No. 008-530-9711-9195.

The City Manager recommended that Council transfer \$525,000.00 from Public Improvement Bonds - Series 2002, Account No. 008-530-9711-9195, to an account to be established by the Director of Finance entitled, Curb, Gutter and Sidewalk – Phase VIII.

**Mr. Carder offered the following budget ordinance:**

**(#36191-010603) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.**

**(For full text of Ordinance, see Ordinance Book No. 67, page 56.)**

**Mr. Carder moved the adoption of Ordinance No. 36191-010603. The motion was seconded by Mr. Dowe and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: None-----0.**

**POLICE DEPARTMENT-GRANTS: The City Manager submitted a communication advising that the Virginia Community Action Re-entry System, Inc. (Va. CARES) is a nonprofit organization with its home office in the City of Roanoke and extensive experience in offender services; for the period July 1, 2002 to June 30, 2003, the Virginia Department of Criminal Justice Services (DCJS) awarded nearly \$950,000.00 in State funding to Va. CARES to continue its statewide, multi-office, pre-release and post-incarceration assistance program; due to budget cuts, DCJS recently notified Va. CARES that its State funding would terminate on December 31, 2002, but Federal funding under the Byrne Memorial Formula Grant Program (Byrne Grant), administered by DCJS, could be made available to support the program through the end of the fiscal year; however, Federal funds require a 25 per cent cash match and may be awarded only to a locality, which would then be expected to contract with Va. CARES to conduct offender services; in order meet the deadline of DCJS to ensure availability of Federal funds, Va. CARES submitted an application on November 15<sup>th</sup> indicating the City as Grantee, based on an understanding that this was not final; and the application requested \$331,102.00 in Byrne Grant funding and pledged \$110,362.00 in matching funds, for a total of \$441,464.00 in funding for the six months.**

**It was explained that if the City formally agrees to be the Grantee under the Byrne Grant application, it will become responsible for the entire Va. CARES program serving 44 cities and counties through nine subcontractors which are dispersed across the Commonwealth of Virginia; a grant agreement would be executed with DCJS, whereby the City would become the project administrator and**

fiscal agent; and it is in the City's interests that the fiscal agent role be limited as much as possible to a "pass-through" capacity, with day-to-day operational activities, such as service delivery, payroll functions and vendor payments, administered by the Va. CARES home office and its subcontractors.

It was pointed out that given the City's budgetary constraints, it is critical that the City not take on financial liability for the matching funds requirement; under DCJS funds that expired on December 31, 2002, Va. CARES was required to contribute matching funds, which it secured through local sources and its subcontractors; as a condition for becoming the Grantee for the Federal funds, the City has stipulated that Va. CARES must provide the matching funds up front to operate during the initial six or more weeks under the Byrne Grant; by requiring Va. CARES to expend matching funds first, the City can eliminate the potential liability for providing matching funds; after the initial operating period, the City would disburse grant funds to the Va. CARES home office on a monthly basis; disbursements would require documentation of allowable costs and additional matching funds, ensuring that these requirements are being satisfied; initial use of matching funds by Va. CARES is, in any case, necessary since grant funds cannot be drawn and disbursed until after action by Council and following execution of the necessary State and subgrant agreements; and at the January 21, 2003, meeting of Council, a report will be submitted to Council to accept the Byrne Grant, appropriate funding, and authorize the City Manager to execute the agreement with Va. CARES.

The City Manager recommended that she be authorized to execute the Va. CARES Byrne Grant application, contingent upon Va. CARES having secured cash matching funds sufficient to support its operations for a minimum of six weeks.

Mr. Dowe offered the following resolution:

(#36192-010603) A RESOLUTION authorizing the City Manager to apply for a grant from the Virginia Department of Criminal Justice Services.

(For full text of Resolution, see Resolution Book No. 67, page 57.)

Mr. Dowe moved the adoption of Resolution No. 36192-010603. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

**NEWSPAPERS-ADVERTISING:** The City Manager submitted a communication advising that the City of Roanoke produces a number of publications on a regular basis, including *Roanoke Citizen* magazine and an annual municipal calendar which are distributed to every household in Roanoke, *City Corner* which is an internal newsletter distributed to approximately 3,000 City employees and retirees, and *Happenings*, which is a Parks and Recreation tabloid distributed through The Roanoke Times.

It was further advised that these publications represent a significant expense to the City, but they also represent significant opportunities for commercial and non-profit advertisers to reach potential customers, so long as their advertising is limited to paid advertising for consumer goods and services; the City has received a number of requests to advertise in these publications, and the proposed advertising policy and fees would provide a uniform way to accept advertising and recover a portion of the expense of providing these valuable public information services; most localities in Virginia do not produce publications of similar length, frequency or distribution as does the City of Roanoke and of those localities with comparable publications, Norfolk and Virginia Beach are the most notable examples for which advertising plays a large role; the proposed Roanoke advertising policy incorporates several provisions of the Norfolk and Virginia Beach policies, including prohibitions against political, religious, sexually oriented or issue advocacy advertisements; and advertising fees in the proposed policy are based on staff research of market rates for advertisements in similar commercial publications in the region.

The City Manager recommended that Council approve the proposed advertising policy and amend the Fee Compendium to accept advertising in the above-named City publications.

Mr. Carder offered the following resolution:

**"A RESOLUTION adopting a Publications Advertising Policy for the City of Roanoke, establishing advertising fees and amending the City's Fee Compendium."**

Mr. Carder moved the adoption of the resolution. The motion was seconded by Mr. Dowe.

Council Member Bestpitch expressed concern with regard to attempts to address, in one sentence, the types of advertising that might be prohibited relative to first amendment questions that could arise from the issue, and noted that it is difficult to draw the line between the kind of speech that government will prohibit or

allow in this type of situation. Therefore, he offered a substitute motion that the resolution be tabled for further review by City staff and discussion at a future work session of the Council. The motion was seconded by Mr. Cutler and unanimously adopted.

**DIRECTOR OF FINANCE:**

**DIRECTOR OF FINANCE-AUDITS/FINANCIAL REPORTS:** The Director of Finance submitted the Financial Report for the City of Roanoke for the month of November 2002.

Council Member Carder expressed concern in regard to the decrease in State funding, specifically grants to certain programs. He called attention to the need to identify which City programs are mandated by the State that are either not being funded, or funding has been cut. He stated that Council should make a decision to challenge, legally, whether it is required to make up the shortfalls related to decreases in State funding; and if the State continues to cut funding to programs, local governments should: (1) inform the State that if it mandates a program, the mandate should be funded by the State, or (2) the locality should not implement the program and let the State take the locality to court.

The City Manager advised that the information requested by Mr. Carder could be compiled rather quickly because City departments, in preparing their business plans, were instructed to identify those programs that are legally mandated either by Federal law, State law, local code or discretionary.

The Mayor inquired as to the amount of State reductions passed on to the City of Roanoke as of October 2002; whereupon, the Director of Finance advised that the first notification of decreases totaled approximately \$387,000.00, and the City was recently advised of another \$500,000.00 - \$600,000.00 for the current fiscal year as set forth in the Governor's suggested budget amendment, which is approximately one quarter of one per cent.

The Mayor advised that in the overall scope of a \$194 million City budget, one quarter of one per cent would not pose a great handicap. He inquired as to how the loss of one quarter of one per cent of the City's overall budget affects the total picture.

The Director of Finance clarified that the abovereferenced reduction of funds is in addition to the reductions that the City was notified of last year, and is not inclusive of reductions in the upcoming budget.

Council Member Bestpitch expressed concern over repeated comments that there must be ways in which the City can achieve greater efficiencies in government and ways to reduce the overall City budget. He called attention to the need to hear specific areas where budget cuts could be made, regardless of the amount of the cut, and those persons should be willing to identify what the citizens of Roanoke will have to give up in order to allow for greater efficiencies and/or an overall budget reduction.

Without objection by Council, the Mayor advised that the November 2002 Financial Report would be received and filed.

**REPORTS OF COMMITTEES: NONE.**

**UNFINISHED BUSINESS: NONE.**

**INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:**

**COMMITTEES-CITY COUNCIL:** Mr. Bestpitch offered the following resolution providing that Council meetings will commence on the first Monday of each month at 9:00 a.m. instead of 12:15 p.m.:

(#36193-010603) A RESOLUTION amending Paragraph 2(a) of Resolution No. 35958-070102, which established a meeting schedule for City Council for the Fiscal Year commencing July 1, 2002, and terminating June 30, 2003, in order to change the time of commencement of the regular meetings of City Council to be held on the first Monday in each month from 12:15 p.m. to 9:00 a.m.

(For full text of Resolution, see Resolution Book No. 67, page 57.)

Mr. Bestpitch moved the adoption of Resolution No. 36193-010603. The motion was seconded by Mr. Cutler and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

**NAYS:** None-----0.

**MOTIONS AND MISCELLANEOUS BUSINESS:**

**INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:**

**SPORTS ACTIVITIES-ROANOKE CIVIC CENTER-HOCKEY:** Council Member Wyatt commended staff at the Roanoke Civic Center for the efficient manner in which the change over occurred from the Roanoke Dazzle basketball game to the Roanoke Express hockey game on Saturday, January 4, 2003.

**ROANOKE CIVIC CENTER-SPORTS ACTIVITIES:** Council Member Dowe encouraged citizens of the Roanoke Valley to support the Roanoke Dazzle basketball team.

**HEARING OF CITIZENS UPON PUBLIC MATTERS:** The Mayor advised that Council sets this time as a priority for citizens to be heard, and matters requiring referral to the City Manager will be referred immediately for any necessary and appropriate response, recommendation or report to Council.

**ZONING-COMPLAINTS-SCHOOLS:** Mr. Bob Caudle, 4231 Belford Street, S. W., addressed Council in connection with concerns of residents regarding an application submitted by the Roanoke County School Board to the City of Roanoke Board of Zoning Appeals, for a zoning variance to install lights on the soccer/football field at Hidden Valley Middle School, which will allow light fixtures to be 90 feet in height, in lieu of the maximum 35 feet limitation.

Mr. Caudle advised that Hidden Valley Middle School is a Roanoke County school located in the City of Roanoke; on July 14, 1986, a Consent Decree was filed in the Circuit Court signed by the Honorable Ernest W. Ballou, Judge, ordering that the Hidden Valley Middle School lights be removed by October, 1986, and further stating that the recreational facility will remain a recreational facility for day time use only and will remain unlighted to prevent night time recreational use. He inquired as to why the Roanoke County School Board did not consult with Roanoke City officials prior to filing the application with the Board of Zoning Appeals and why did the School Board not consult with the neighborhood. He stated that residents of the Greater Deyerle area have gone to great expense to hire an attorney to represent their best interests which is not a cost that they should have to bear.

**CITY MANAGER COMMENTS:**

**CITY EMPLOYEES:** On behalf of all City employees, the City Manager expressed appreciation to the Members of Council for authorizing December 24, 2002, as an additional holiday for City employees.

**ACTS OF ACKNOWLEDGMENT-CITY EMPLOYEES-SNOW REMOVAL:** The City Manager commended City staff on the manner in which the snow event on Sunday, January 5, 2003, was addressed.

**OATHS OF OFFICE-COMMITTEES-ROANOKE CIVIC CENTER-FDETC-SPORTS ACTIVITIES:** The City Manager advised that the City of Roanoke will host a meeting of the Roanoke Valley-Alleghany Regional Commission at the Roanoke Civic Center on January 15, 2003, 4:00 - 7:00 p.m., and following the meeting, guests are invited to attend the Roanoke Dazzle basketball game.

At 3:05 p.m., the Mayor declared the meeting in recess for one closed session.

At 4:45 p.m., the meeting reconvened in the Council Chamber, with Mayor Smith presiding and all Members of the Council in attendance.

**COUNCIL:** With respect to the Closed Meeting just concluded, Mr. Harris moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Carder and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

**NAYS:** None-----0.

**COMMITTEES-ROANOKE ARTS COMMISSION:** The Mayor advised that there is a vacancy on the Roanoke Arts Commission, and called for nominations to fill the vacancy.

Mr. Dowe placed in nomination the name of Nelett H. Lor.



There being no further nominations, Ms. Lor was appointed as a member of the Roanoke Arts Commission, for a term ending June 30, 2005, by the following vote:

FOR MS. LOR: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

Inasmuch as Ms. Lor is not a City resident, Mr. Dowe moved that the City residency requirement be waived. The motion was seconded by Mr. Cutler and unanimously adopted.

Following the formal session of Council, the work session reconvened at 4:50 p.m., in the City Council Chamber, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor Smith presiding and all Members of the Council in attendance.

**COUNCIL:**

**ITEMS FOR DISCUSSION AT THE FEBRUARY 4, 2003 COUNCIL/SCHOOL BOARD RETREAT:**

The City Manager advised that the facilitator, Lyle Sumek, Lyle Sumek and Associates, Inc., will interview School Trustees on February 3 and obtain Council input thereafter.

Council Member Cutler submitted the following items for discussion:

Budget

Audits

School building renovation/construction schedule

Citizen complaints regarding lack of close oversight resulting in waste of public funds, danger to teachers and students.

Discipline of those responsible for past illegal activities?

Response to those who advocate an elected school board?

**Joint administration of fitness facilities.**

**Joint use of trails and parks (recreation, science teaching, etc.)**

**Anything to be learned from the experience with the Roman Catholic Archdiocese that has partnered with the County instead of the City at Washington Park? Should the City have handled the matter differently?**

**Opportunities to share facilities, programs, etc., with neighboring school districts?**

**Warmer welcome for volunteers?**

**Another proposed item was a philosophical discussion by Council and the School Board regarding funding issues, in which it was noted that by the time the General Assembly completes the budget, the School Board may be requesting additional funds; therefore, the question becomes, will Council take the same stand that it took with other State budget cuts that were passed down to the affected Constitutional offices and City departments.**

**In response, the City Manager called attention to discussions with the Superintendent of Schools who has indicated that he will present the proposed fiscal year 2003-04 school budget to the School Board next week. She stated that based upon preliminary budget estimates and primarily upon information from the City's Director of Real Estate Valuation with regard to real estate assessments, local money available to the schools next year represents the largest per cent increase in new money for the school system in a number of years. She noted that the School Superintendent is encouraged with regard to local funding which is based on the formula that was established several years ago. She noted that for fiscal year 2003-04, the City of Roanoke and the position of its school system is favorable, because more funds appear to be available than were originally anticipated, and the school system does not anticipate the level of loss of State funds that was originally envisioned.**

**The City Manager advised that the issue of elected school boards could surface through the news media; therefore, the topic might be an appropriate item for discussion at the Council/School Board retreat.**

**There was discussion as to the need for proactive dialogue between Council and School Board members in order to reach an understanding with the School Board that the Members of Council appoint School Trustees and it is inherent that there be some level of accountability back to the Council as the body that is elected by the voters. The City Manager advised that it is important, when appointments are made to the School Board, that Council create that kind of atmosphere and the more Council shares those expectations, the better the relationships will be.**

**DISCUSSION WITH REGARD TO SCHEDULING OF JOINT MEETINGS OF COUNCIL AND CERTAIN COUNCIL APPOINTED AUTHORITIES, BOARDS, COMMISSIONS AND COMMITTEES:**

**Comments by the Mayor and Members of Council:**

- **Meetings should be used productively and not as a time to report on the progress of the committee over the past year.**
- **For some committees, the joint meetings are perceived as a time for Council to express appreciation for a job well done. If Council Members would agree to attend at least one meeting per year of the City Planning Commission, Board of Zoning Appeals, Architectural Review Board, Roanoke Redevelopment and Housing Authority, Industrial Development Authority and the School Board, the 5:00 p.m. joint meetings could be eliminated.**
- **Members of the various committees attend the joint meetings with the expectation of receiving direction and clarification from the Council.**
- **Joint meetings should not be scheduled unless the purpose falls into one of the following categories: (1) to present an explanation of an issue or concern; (2) to solicit advice from Council; and (3) to present new directions proposed to be pursued by the committee and to receive input by Council prior to proceeding.**

- Meetings would be more productive if they are held in a more informal type setting, as opposed to a dinner meeting.
- If no Member of Council submits agenda items for discussion, the meeting should be cancelled.

The City Manager pointed out that the problem exists with both the Council and with the various committees, and both groups should share equally in the scheduling of meaningful agenda items. She suggested that the Council consider designating which committees it would like to meet with during the year, the frequency of meetings, and if issues come up during the year that need to be addressed, Council could schedule a joint meeting with the appropriate committee. She further suggested that Council schedule meetings with the City Planning Commission, the Roanoke Redevelopment and Housing Authority and the School Board and meet with other committees as issues arise that need to be addressed. She advised that the 5:00 p.m. time slot may not be the best time to schedule meetings with the various committees, and asked that Council consider the 9:00 a.m. to 2:00 p.m. work session as a time for joint meetings. Another alternative offered by the City Manager was to schedule Council-Appointed boards and commissions for ten minute annual report presentations before the Council which will also give Council the opportunity to express appreciation to committee members for their volunteer work. She called attention to the importance of drawing out and helping committee members to feel comfortable in knowing that being candid is not harmful. It was noted by a Member of Council that there are processes for dealing with "touchy" issues by persons who are trained in the field, and it could be advantageous to explore the process of creative sharing and problem solving.

Following discussion, it was the consensus of Council to schedule the School Board, City Planning Commission and the Roanoke Redevelopment and Housing Authority for joint meetings with Council; as issues arise, meetings can be scheduled with other Council Appointed committees; and annual reports by committees could be presented as a part of the Council work session on the first Monday of each month.

One Member of Council advised that Members of the Alexandria City Council not only receive \$20,000.00 per annum in salary, but each Council Member is assisted by an aide who works 20 hours per week, and, with the growing demands on the time of City Council Members, the topic may be worthy of discussion by a future Council.

**DISCUSSION WITH REGARD TO QUARTERLY MEETINGS OF COUNCIL AND  
THE ROANOKE COUNTY BOARD OF SUPERVISORS:**

**The following remarks were offered by the Mayor and Council Members:**

- **Joint meetings should be held only if there is to be meaningful and productive dialogue and no political grandstanding.**
- **It would be beneficial to schedule a joint meeting to discuss the progress of joint staffing of fire stations and future steps to be taken, joint parks and recreation efforts, and a regional library system.**
- **If progress is to be made on the above referenced types of issues, it must start with the two administrations; therefore, it would be advantageous for the City Manager and the County Administrator to work with their respective staffs and at the appropriate time, City Council and the Board of Supervisors could hold a joint meeting to announce results and/or engage in official action.**
- **The City Manager should advise the County Administrator of the City's interest in meeting with Roanoke County on specific issues and/or to celebrate specific accomplishments, and the City would be interested in hearing any suggestions offered by the Roanoke County Board of Supervisors.**

**It was the consensus of Council that the City Manager will confer with the Roanoke County Administrator on regional efforts regarding library services, parks and recreation and fire services.**

**At 5:15 p.m., the Mayor declared the meeting in recess until Friday, January 17, 2003, at 12:00 noon, for the Regional Leadership Summit Luncheon, to be hosted by the City of Roanoke at Center in the Square, One Market Square, S. E., Roanoke, Virginia.**

The City Council meeting reconvened on Thursday, January 17, 2003, at 12:00 noon at the Roanoke Valley History Museum, One Market Street, S. E., Roanoke, Virginia, for a meeting of representatives of the Regional Leadership Summit.

**PRESENT: Council Members William D. Bestpitch, M. Rupert Cutler, Linda F. Wyatt and Mayor Ralph K. Smith-----4**

**ABSENT: Council Members William H. Carder, Alfred T. Dowe, Jr., and C. Nelson Harris-----3.**

**OFFICERS PRESENT: Darlene L. Burcham, City Manager; and Stephanie M. Moon, Deputy City Clerk.**

Also present were Wayne G. Strickland, Secretary, Fifth Planning District Regional Alliance; Jim Sears, Chair, Center-In-The-Square Board of Directors; Dr. Ray Smoot, Vice-President of Administration and Treasurer, Virginia Polytechnic Institute and State University; Barry DuVal, President and CEO, Kaufman and Canoles Consulting, LLC; D. Kent Chrisman, Executive Director, Roanoke Valley History Museum; and members of City Councils/Boards of Supervisors and staff of the following localities: Allegheny County, Bedford County, Botetourt County, Montgomery County, Roanoke County, City of Roanoke, City of Salem, and Town of Vinton.

**COUNCIL-REGIONAL LEADERSHIP SUMMIT-CENTER IN THE SQUARE: Mayor Smith introduced Jim Sears, Chair, Center-In-The-Square Board of Directors, for remarks with regard to Center in the Square.**

Mr. Sears advised that Center in the Square is considered a regional cultural center that serves Southwestern Virginia which helps to increase the quality of life; it houses seven organizations, free of charge; and offers education programs which are a part of the Standards of Learning requirements.

He highlighted some of the accomplishments that the organization was involved with, such as the refurbished former Shenandoah Hotel, the Boiler Room Restaurant, and the Roanoke Passenger Station; and acquisition of the O. Winston Links Works that are displayed in the History Museum. He remarked that the organization is available to assist localities with educational, quality of life and economic development efforts, and expressed appreciation for the support of the localities.

Mr. Sears introduced D. Kent Chrisman, Executive Director, Roanoke Valley History Museum. Mr. Chrisman welcomed everyone to the History Museum and expressed appreciation for the opportunity to address the localities. He gave brief comments with regard to the history of the History Museum, advising that it was a regional group that was founded in 1957 as the Roanoke Historical Society, published its first journal in 1964, and since that time, the name has been changed to the History Museum and Historical Society of Western Virginia.

Mr. Chrisman called attention to the O. Winston Link photographs displayed in the History Museum, stating that the Link Collection covered not only western Virginia, but portions of North Carolina, West Virginia and a smaller portion of Maryland, which region was served by the Norfolk and Western Railway Company; and the Museum has a unique opportunity to market the Link Collection with other institutions throughout western Virginia.

He shared the following data with regard to O. Winston Link:

A life long New Yorker who had a love for railroads, the State of Virginia, and at different times throughout his life, resided in the Roanoke Valley;

A very successful commercial photographer who counted some of the larger corporations headquartered in New York City as his clients;

Driven by the knowledge that the era of steam locomotion in the United States was rapidly drawing to a close, he began recording, on film, the activity of the Norfolk and Southern Railway; and

Captured the industrialization revolution in a comprehensive manner -- 2,500 images using his own resources over a period of five years from 1955 to 1960.

**Mr. Chrisman further stated that the O. Winston Link Gallery and the renovations to the Roanoke Passenger Station, coupled with the Hotel Roanoke and Conference Center, would allow the History Museum to offer a package that could bring railroad enthusiasts to the City of Roanoke since the Link art/photo collection has been exhibited and collected around the world; and some of Mr. Link's work is part of the permanent collections of art in the Getty Museum in Los Angeles, the Metropolitan Museum of Art in New York, and the Victoria and Albert Museum in London.**

**He advised that the History Museum plans to purchase from the O. Winston Link Estate 280 photographic prints, sound recording equipment, video footage, Mr. Link's notebooks, cameras, and other equipment; and the Museum has partnered with the Western Virginia Foundation for Arts and Sciences, d/b/a Center in the Square, to renovate the Roanoke Passenger Station to house an O. Winston Link Museum and regional visitors center.**

**Mr. Chrisman further advised that a campaign team has been created to raise \$2.6 million to address the immediate needs and partially fund an endowment for the facility; and encouraged the localities to support the team in promoting western Virginia as a tourism concept.**

**AIRPORT-CONSULTANTS: Barry DuVal, President and CEO, Kaufman and Canoles Consulting, LLC, highlighted five key factors that promote economic competitiveness in a regional economy: competitive workforce, intellectual capacity, quality of life, pro-business attitude, and global connectivity.**

**Mr. DuVal advised that businesses and leisure travelers are looking for low-cost and frequent air service, most prefer jet service; and small to medium markets have successful airports that are focusing on low-cost and frequent perks. He further advised that major airlines are struggling because of significant fixed cost, labor, and operating expenses; another group of carriers in the United States, known as low-fare carriers are successful; a trend has occurred in small and medium-size markets for air service; and regional alliances consisting of public/private partnerships have formed to recruit low-fare carriers.**

**He called attention to two airports in Virginia that have shown growth in the last 12 months – Norfolk and Newport News; and stated that Southwest Airlines, the first low-fare carrier, serves Norfolk and AirTran Airways serves Newport News. He further stated that the two components that are critical to each alliance are strong pledges of support from regional business leaders and communities; and an air service improvement fund which is used to reduce operating costs.**



**Mr. DuVal distributed copies of a news release dated June 14, 2002, whereby the City of Roanoke announced the formation of an regional airport alliance; and called attention to the 18 entities within the service area which have expressed support for the development effort.**

**Dr. Ray Smoot, Vice-President of Administration and Treasurer, Virginia Polytechnic Institute and State University, shared data on air service usage by Virginia Tech officials.**

**Mr. Duval introduced Beth Doughty, President, Roanoke Regional Chamber of Commerce, for additional comments.**

**Ms. Doughty mentioned that the question of air service has consistently been in the top three issues of concern for Chamber of Commerce members and their ability to compete in the regional economy; and she foresees some promise with the public/private partnership to engage both the public and private sector in the effort to attract an air carrier. She advised that the Roanoke Regional Chamber of Commerce is part of the Western Virginia Business and Legislative Coalition which consists of 14 Chambers in Western Virginia; and she is optimistic that the Chamber has the tools and the network in place to assist the localities.**

**Mr. Duval advised that a preliminary draft of a survey for low-fare air carrier service included profiling all domestic low-fare carriers in the United States based on the carrier's existing route, aircraft needs, type of plane flown, recent route expansions, apparent route development strategies and the type of carrier to serve Roanoke; and the results of the study indicated the following: "All factors considered, AirTran Airways is clearly the candidate best suited to provide low-fare service to Roanoke."**

**He further advised that based on the results of the study, the Roanoke Regional Airport intends to move forward with an initiative to implement a travel pledge campaign from the business communities of all the local jurisdictions in the Roanoke Valley, which will be a critical component in demonstrating to AirTran Airways and any other airline that would like to utilize the results of the study.**

**Mr. DuVal stated that the numbers mentioned by Dr. Smoot relative to the frequency of flights are significant for airlines such as AirTran, and the travel pledge campaign form will ask businesses about their flying frequency to 36 different cities, and what percentage they would be willing to pledge to AirTran Airways in an effort to create a business environment; and the Airport Commission will work with the Chamber of Commerce to distribute the forms.**

Mr. Duval asked representatives of the Regional Leadership Summit to discuss the initiative because it is critical to businesses in their respective communities to participate in the travel pledge program.

**ANNOUNCEMENTS:**

Wayne Strickland, Secretary, Fifth Planning District Regional Alliance, advised that the meeting of the Mayors and Chairs will be held on Thursday, February 14, 2003, at the Roanoke Valley-Alleghany District Office; and the Fifth Planning District Regional Alliance and Mayors and Chairs meeting, respectively, will be held on Thursday, March 6, 2003, at the Vinton War Memorial.

Mayor Donald Davis, Town of Vinton, called attention to two bills to be introduced at the 2003 Session of the General Assembly; i.e.: a charter change relative to an employee who is employed by a local governing body and plans to run for a seat on its local governing body, to require that the employee resign from his or her position if elected to the governing body; and a bill changing the requirement that a Town's income per capita will continue to be determined by the County's income per capita.

On behalf of Virginia Tech University, Dr. Smoot extended an invitation to host the next Regional Leadership Summit meeting on April 11, 2003, in the Donaldson-Brown Center, Virginia Tech University, Otey Street, Blacksburg, Virginia.

There being no further business, the Mayor declared the meeting adjourned at 1:30 p.m.

**A P P R O V E D**

**ATTEST:**

**Mary F. Parker**  
**City Clerk**

**Ralph K. Smith**  
**Mayor**

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